IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

WP(C).No. 31302 of 2006(B)

PETITIONER:

HUTCHISON ESSAR CELLULAR LIMITED,
XL-5115, ASHIS BUILDING, SHANMUGAM ROAD,
COCHIN-682 031, REP. BY ITS MANAGER-LEGAL,
RAJESH MELETH VEETIL.

BY ADV. SRI.ANTONY DOMINIC
SRI.A.M.SHAFFIQUE
SRI.E.K.NANDAKUMAR
SRI.A.K.JAYASANKAR NAMBIAR

RESPONDENTS:
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1. SUPERINTENDENT OF POLICE,
KANNUR DISTRICT.

2. THE CIRCLE INSPECTOR OF POLICE,
KOOTHUPARAMBA POLICE STATION, KOOTHUPARAMBA,
KANNUR DISTRICT.

3. A. RAJU, S/O.SANKARAN,
KUNDAMCHALIL HOUSE, P.O.POOKKODU,
PATYAM AMSOM, TELICHERRY, KANNUR DISTRICT.

4. SURESH BABU, S/O.KRISHNAN,
`SOUPARNIKA', P.O.POOKKODU,
PATYAM AMSOM, TELICHERRY, KANNUR DISTRICT.

5. A.M. SUNIL, S/O.LATE JAYANAND,
`SUJAYA', PATYAM AMSOM,
TELICHERRY, KANNUR DISTRICT.

BY GOVT. PLEADER SRI. SALIM P.A

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

Ext.P1: True copy of the No Objection Certificate No.B1-973/06 , dated 28.07.2006 issued by the Pattayam Grama Panchayat to the petitioner.

Ext.P2: True copy of the order dated 18.10.2006 in W.P (C) 27387 of 2006 passed by this Hon'ble Court .

Ext.P3: True copy of the complaint dated 11.11.2006 (wrongly typed as 29.09.2006) petitioner to the 2nd Respondent along with Receipt No. 36 dated 11.11.2006.

//True copy//

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K.BALAKRISHNAN NAIR &

T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) NO. 31302 OF 2006-B

Dated 7th September, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioner has approached this Court, seeking police protection to construct a telecommunication tower. According to it, respondents 3 to 5 are causing obstruction. Pursuant to the interim order of this Court, it is submitted, the construction of the tower is already over. It is ordered that the construction will be subject to any orders that may be passed by the competent statutory authority/court. In other words, this direction will not affect the rights, if any, of respondents 3 to 5 to seek remedies against the construction of the tower and also that of the competent authority/court in

considering those motions.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

Nm/